

ORDINANCE NO. 2017-044

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS AMENDING THE GRAPEVINE CODE OF ORDINANCES, CHAPTER 23 TRAFFIC, SECTION 23-27 SPEED LIMITS - SCHEDULES OF ADDITIONAL SCHOOL ZONES, ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF SECTIONS 167 AND 169 OF ARTICLE XIX, R.C.S. 6701d, UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS, UPON THE BASIS OF AN ENGINEERING AND TRAFFIC INVESTIGATION UPON CERTAIN STREETS AND HIGHWAYS, OR PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAPEVINE AS SET OUT IN THE ORDINANCE; AUTHORIZING THE ERECTION OF TRAFFIC REGULATION SIGNS; REPEALING CONFLICTING ORDINANCES; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00); PROVIDING A SEVERABILITY CLAUSE; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Sections 167 and 169 of Article XIX, R.C.S. 6701 d, Uniform Act Regulating Traffic on Highways, provide that whenever the governing body of the City shall determine upon the basis of an engineering and traffic investigation that any prima facie speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway, with the City taking into consideration the width and condition of the pavement and other circumstances on such portion of said street or highway, as well as the usual traffic thereon, said governing body may determine and declare a reasonable and safe prima facie speed limit thereat or thereon by the passage of an ordinance, which shall be effective when appropriate signs giving notice thereof are erected at such intersection or other place or part of the street or highway; and

WHEREAS, all constitutional and statutory prerequisites for the approval of this resolution have been met, including but not limited to the Open Meetings Act; and

WHEREAS, the City Council deems the adoption of this ordinance is in the best interests of the health, safety, and welfare of the public.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS:

Section 1. That all matters stated herein above are true and correct and are Incorporated herein by reference, as if copied in their entirety.

Section 2. That Chapter 23 Traffic, Section 23-27 Speed Limits—Schedules of Additional School Zones of the Grapevine Code of Ordinances is hereby amended by amending paragraph (a) in its entirety to read as follows:

“(a) The city manager shall have 20 mile per hour speed limit signs installed in the designated school zones listed below, which are hereby designated 20 mile per hour zones during the times herein stated. The signs shall indicate that the 20 mile per hour speed limit will be in effect on school days during the hours of 7:10 a.m. through 8:10 a.m. and 2:25 p.m. through 3:25 pm., or during the times the school flashers are flashing.”

Section 3. That the City Manager, or his designee, is hereby authorized to have the proper traffic signs erected, constructed, and placed at such points along said highways, streets or alleys, or portions hereof under construction, maintenance or repair so that travelers will be reasonably notified of said traffic regulations.

Section 4. That all ordinances or any parts thereof in conflict with the terms of this ordinance shall be and hereby are deemed repealed and of no force or effect; provided, however, that the ordinance or ordinances under which the cases currently filed and pending in the Municipal Court of the City of Grapevine, Texas, shall be deemed repealed only when all such cases filed and pending under such ordinance or ordinances have been disposed of by a final conviction or a finding not guilty or nolo contendere, or dismissal.

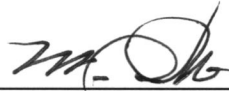
Section 5. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed two hundred dollars (\$200.00) and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

Section 6. If any section, article, paragraph, sentence, clause, phrase or word in this ordinance, or application thereto any person or circumstances is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 7. The fact that the present ordinances and regulations of the City of Grapevine, Texas are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the public creates an emergency which requires that this ordinance become effective from and after the date of its passage, and it is accordingly so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 18th day of July 2017.

APPROVED:



William D. Tate  
Mayor

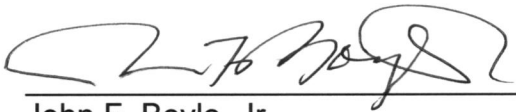
ATTEST:



Tara Brooks  
City Secretary



APPROVED AS TO FORM:



John F. Boyle, Jr.  
City Attorney